



# Social Security

## Entering The Community After Incarceration— How We Can Help

[www.socialsecurity.gov](http://www.socialsecurity.gov)

# Entering The Community After Incarceration— How We Can Help

**S**ocial Security and/or Supplemental Security Income (SSI) benefits are suspended when individuals are confined to jail or prison.

- For Social Security beneficiaries, benefits remain suspended until the inmate is released.
- For SSI beneficiaries, benefits are terminated when the individual is incarcerated for a year or more.

Individuals need funds to cover living expenses when they are released from prison. To help them make a successful transition back into the community, benefits need to be started as soon as possible.

## How soon can benefits be started after release?

The amount of time it takes to start benefits depends on the individual's particular situation.

- If benefits have only been suspended, Social Security usually can restart them without much delay.
- If benefits have been terminated, it can take a few months before benefits resume.

- If the inmate was not previously entitled to benefits and is alleging disability, a new application and disability determination are required. In this situation, it could take from three to five months to make a decision about the person's disability.

## Is there a way to expedite benefit payments?

By following a special procedure before release, we can pay benefits much sooner. We refer to this as the prerelease procedure.

## How does the prerelease procedure work?

When an institution has a prerelease agreement with Social Security, we can:

- Begin processing an inmate's application up to several months before the inmate's scheduled release date;
- Make a prospective determination of potential eligibility and payment amount based on the inmate's expected circumstances after release; and
- Start paying benefits shortly after the inmate is released from the institution.

When notified by the institution, Social Security will follow this procedure if the inmate is likely to be eligible for benefits within 30 days of his or her scheduled release date.

### **How can institutions establish a prerelease agreement?**

Either the local Social Security office or the institution may initiate a discussion about setting up a pre-release agreement.

The prerelease agreement:

- May be an informal verbal agreement; or
- May be a written agreement signed by both parties.

### **What are the responsibilities of each party?**

#### **Social Security's responsibilities**

In a typical prerelease agreement, the Social Security office will:

- Provide guidelines about what evidence is needed;
- Provide a contact person to assist the institution and the inmate in applying the prerelease procedures;
- Process claims and reinstatements timely; and

(over)

- Notify the institution promptly when Social Security has made a decision about the inmate's eligibility for benefits.

## **Institution's responsibilities**

The institution would agree to:

- Notify Social Security of individuals scheduled for release in the near future who may be eligible for benefits;
- Provide available current medical evidence for the inmate including a statement about the inmate's ability to handle funds;
- Provide Social Security with the anticipated release date; and
- Notify Social Security as soon as the individual is released.

## **What are the advantages of a prerelease agreement?**

A prerelease agreement:

- Allows both parties to streamline the process for starting/restarting benefits promptly after an inmate is released;
- Facilitates the inmate's return to the community by providing him/her with an adequate source of income; and
- Could serve to deter recidivism.

## Contacting Social Security

For more information and to find copies of our publications, visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) or call toll-free, **1-800-772-1213** (for the deaf or hard of hearing, call our TTY number, **1-800-325-0778**). We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. We can provide information by automated phone service 24 hours a day.

We treat all calls confidentially. We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.

For more information about setting up a prerelease agreement, contact the local Social Security office.



**Social Security Administration**  
SSA Publication No. 05-10504  
ICN 382004  
Unit of Issue - Package of 25  
May 2007